

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RYAN P. O'BOYLE,

Petitioner,

-vs-

Case No. 14-C-206

**PAUL KEMPER, Warden,
Racine Correctional Institution,**

Respondent.

DECISION AND ORDER

Ryan P. O'Boyle filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. After an initial review of O'Boyle's petition, it is readily apparent that he has failed to completely exhaust his administrative remedies in state court. The circuit court denied O'Boyle's motion for post-conviction relief on December 18, 2013, and the court of appeals affirmed on February 4. Therefore, O'Boyle's current remedy is to seek review with the Wisconsin Supreme Court. *Byers v. Basinger*, 610 F.3d 980, 985 (7th Cir. 2010). For now, O'Boyle's petition in federal court is premature.

This matter is **DISMISSED** without prejudice.

The Court declines to issue a certificate of appealability.

Dated at Milwaukee, Wisconsin, this 27th day of February, 2014.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge